



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Contempt Jurisdiction)

Friday, the Fourteenth day of June Two Thousand and Nineteen
PRESENT

The Hon'ble Mr. Justice D. KRISHNAKUMAR
CONT P(MD). No.1014 of 2017

WEB COPY

K.THANGAMUTHU

... Petitioner/Petitioner

Vs

1 M.RAJARAJAN, SUPERINTENDENT OF POLICE, VIRUDHUNAGAR DISTRICT
VIRUDHUNAGAR.

2 KUMAR, THE SUPERINTENDENT OF POLICE / ENQUIRY OFFICER,
VIRUDHUNAGAR SUB DIVISION, VIRUDHUNAGAR DISTRICT.

... Respondents/Respondents

Prayer in CONT P(MD). No.1014 of 2017:-

Contempt Petition is filed under section 11 of Contempt of Court's Act, 1971, praying this Hon'ble Court to punish the Respondents for willfully disobeying the order passed in WMP(MD). No.11704 of 2016 in WP(MD).No.15980 of 2016 dated 26/08/2016.

Prayer in WMP(MD).No.11704 of 2016 :

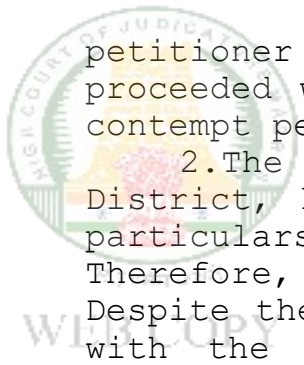
Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, praying this Court to grant an order of Interim stay staying the operation of the impugned charge memo issued by the 1st Respondent in Tha.Pa.No.27/2016 dated 29.04.2016 pending disposal of the writ petition.

Prayer in WP(MD).No.15980 of 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned charge memo issued by the 1st Respondent in Tha.Pa.No.27/2016 dated 29.04.2016 and to quash the same.

ORDER:- Contempt Petition is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. G.SANKARAN, Advocate for the Petitioner and of Mr. AAYIRAM K.SELVAKUMAR, Additional Government Pleader on behalf of the Respondents, this Court made the following order:

According to the petitioner, interim order was granted by this Court, by order, dated 26.08.2016, passed in W.P.(MD).No.15980 of 2016 and W.M.P.(MD).No.11704 of 2016, by staying the operation of the impugned charge memo, dated 29.04.2016, issued against the



petitioner by the respondent department. But, the respondent has proceeded with the enquiry. Hence, the petitioner has filed this contempt petition.

2.The first respondent / Superintendent of Police, Virudhunagar District, has filed a counter affidavit in this regard. But, no particulars has been furnished in the said counter affidavit. Therefore, the first respondent has disobeyed the Court order. Despite the interim order granted by this Court, he has proceeded with the enquiry and filed the counter affidavit without any detailed particulars. Therefore, the Superintendent of Police has to appear before this Court on 20.06.2019 at 2.15 p.m.

3.Post the matter on 20.06.2019 at 2.15 p.m.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

TO

1 M.RAJARAJAN, SUPERINTENDENT OF POLICE, VIRUDHUNAGAR DISTRICT
VIRUDHUNAGAR.

2 KUMAR, THE SUPERINTENDENT OF POLICE / ENQUIRY OFFICER,
VIRUDHUNAGAR SUB DIVISION, VIRUDHUNAGAR DISTRICT.

3 THE ADDITIONAL GOVERNMENT PLEADER,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER DATED : 14/06/2019

HEARING DATE : 20/06/2019

=====
ORDER
=====

CONT P(MD) . No.1014 of 2017

KK/SAR/18.06.2019/2P-4C